

JOHN F. COOK  
MAYOR

JOYCE WILSON  
CITY MANAGER



CITY COUNCIL  
ANN MORGAN LILLY, DISTRICT 1  
SUSIE BYRD, DISTRICT 2  
EMMA ACOSTA, DISTRICT 3  
CARL L. ROBINSON, DISTRICT 4  
MICHEL R. NOE, DISTRICT 5  
EDDIE HOLGUIN JR., DISTRICT 6  
STEVE ORTEGA, DISTRICT 7  
CORTNEY CARLISLE NILAND, DISTRICT 8

## **AGENDA FOR REGULAR COUNCIL MEETING**

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January 10, 2012  
COUNCIL CHAMBERS  
8:30 a.m.

AND

LEGISLATIVE REVIEW MEETING OF THE WHOLE  
10<sup>th</sup> FLOOR CONFERENCE ROOM  
January 9, 2012  
9:00 a.m.

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### ***NOTICE OF CHANGE IN STARTING TIME AND PROCEDURES EFFECTIVE IMMEDIATELY***

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**PLEASE NOTE THAT THE CITY COUNCIL MEETING STARTS AT 8:30 A.M. AND PERSONS WISHING TO SIGN UP TO SPEAK ON THE AGENDA MUST SIGN UP PRIOR TO 8:30 A.M.**

NOTICE: At any time during the Council meeting, the City Council may meet in executive session pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss items as permitted by law.

***PLEASE NOTE: If items are scheduled for the Executive Session, the Council will move to Executive Session at 12:00 p.m. (noon) for the consideration of those items, or will hear the items at the end of the agenda or as determined by the Presiding Officer, whichever occurs first.***

### **ROLL CALL**

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

### **MAYOR'S PROCLAMATION**

**DR. MARTIN LUTHER KING, JR. DAY**

**RECOGNITION**

**THE FINANCIAL ACCOUNTING AND REPORTING DIVISION, OF THE FINANCIAL SERVICES DEPARTMENT - CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FOR THE CITY'S COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR FISCAL YEAR ENDED AUGUST 31, 2010, PRESENTED BY THE GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) OF THE UNITED STATES AND CANADA.**

**CALL TO THE PUBLIC – PUBLIC COMMENT**

**This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.**

A sign-up form is available on line at [https://www.elpasotexas.gov/muni\\_clerk/contact\\_public.asp](https://www.elpasotexas.gov/muni_clerk/contact_public.asp) for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

**NOTICE:**

Requests to speak must be received by **8:30 a.m.** on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

**NOTICE TO THE PUBLIC**

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting. The wording of all agenda items shall appear in the minutes of this meeting of the City Council as posted, unless otherwise revised by this or other motion of Council, without the necessity of the City Clerk reading the wording of each item into the record.

**CONSENT AGENDA**

**1. APPROVAL OF MINUTES:**

Approval of Minutes for the Regular City Council Meeting of January 3, 2012.  
[Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

**2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:**

**3. RESOLUTIONS:**

**3A.** That the Solid Waste liens on the attachment posted with this agenda be approved (See attachment A) **(Districts 1, 2, 3, 4, 8)** [Environmental Services, Ellen A. Smyth, (915) 621-6719]

**3B.** That the City Manager be authorized to sign an Interlocal Governmental Agreement between the City of El Paso and the El Paso County 911 District

relating to the City's use of the District's facilities for the City's police and fire communications, emergency operations functions and other related operations.  
**(All Districts)** [Fire, Otto Drozd, (915) 485-5605]

- 3C.** That the City Manager be authorized to sign and submit DSHS Contract No. #2012-040428 for its Human Immunodeficiency Virus ("HIV") Prevention – Federal program, in the amount of \$414,415, to allow the City to conduct HIV Prevention activities to ensure said prevention services are provided to persons at greatest risk of acquiring and/or transmitting HIV infection. **(All Districts)** [Public Health, Michael Hill, (915) 771-5702]
- 3D.** That the City Council approves of the appointment of Hector I. Ocaranza, M.D., as the local health authority for a two-year term and sets the total compensation of the health authority at \$43,200 for services rendered for that two-year term, pursuant to Section 121.033 of the Texas Health and Safety Code.  
**(All Districts)** [Public Health, Michael Hill, (915) 771-5702]
- 3E.** That the City Council approves the expenditure of additional available funding in the amount of \$131,945.60 to Tri-State Electric Ltd. for additional construction costs for ITS Expansion Phase I 2010. The change order provides for removal and replacement of 5100 linear feet of concrete sidewalks and asphalt pavement along Dyer Street from Pershing Drive to Hayes Ave. This will add 159 days of contract time for Contract Number 2010-112. The new contract sum, including this change order, is \$2,104,909. **(All Districts)**  
[Engineering and Construction Management, R. Alan Shubert (915) 541-4423]

**4. APPLICATIONS FOR TAX REFUNDS:**

That the tax refunds listed on the attachment posted with this agenda be approved.  
(See Attachment B) **(All Districts)** [Tax Office, Juan Sandoval, (915) 541-4369]

**5. REQUESTS TO ISSUE PURCHASE ORDERS, ETC.:**

- 5A.** Request rejection of sole bid received for Solicitation No. 2012-065 (Non-Emergency 311 - Telephone Exchange Communications Service) as recommended by Financial Services – Purchasing Division, City Manager's office, and City Attorney's office. Due to number of unacceptable exception to standard terms and conditions taken by the bidder, said bid was deemed non-responsive.

A new solicitation will be issued.

**Districts: All**

[City Manager's Office, Leila H. Melendez, (915) 541-4859]

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 5B.** Request rejection of the sole bid received for Solicitation No. 2012-018, (Fuel Pump/Tank Service, Parts, and Repair) as recommended by Financial Services – Purchasing Division and General Services because the sample pricing could not be verified against the price lists submitted by the bidder; therefore the bid was non-responsive.

A new solicitation will be issued.

**Districts: All**

[General Services, Stuart Ed, (915) 621-6822]  
 [Financial Services, Bruce D. Collins, (915) 541-4313]

- 5C.** Request rejection of the sole bid received for Solicitation No. 2012-023, (Landfill Dozer) as recommended by Financial Services Department – Purchasing Division and General Services because of a technical error in the specifications.

A new solicitation will be issued.

**Districts: All**

[General Services, Stuart Ed, (915) 621-6822]  
 [Financial Services, Bruce D. Collins, (915) 541-4313]

- 5D.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Designs That Compute DBA Visionality, under DIR State Contract No. DIR-SDD-969 for LifeSize Room with Control System for Videoconferencing. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the DIR (Department of Information Resources) State Contracts Program was approved by Mayor and City Council on February 27, 2007.

Department:	Environmental Services and Code Enforcement
Award to:	Designs That Compute DBA Visionality Richardson, TX
Total Estimated Award:	\$120,858.20
Account No.:	34010289 – 508010 – 40499 – PSWM0010
Funding Source:	Environmental Services – Data Processing Equipment
Reference No.:	2012-112

**Districts: All**

This is a Cooperative, unit price contract.

[Environmental Services and Code Enforcement, Ellen Smyth, (915) 621-6719]  
 [Financial Services, Bruce D. Collins, (915) 541-4313]

- 5E.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to exercise the City's option to extend current Contract No. 2008-033 (Collection Services - Various City Facilities) to Heist Disposal, Inc. of El Paso, Texas, and Freidman Recycling of El Paso, Texas, for one additional year pursuant to the provisions of an award approved by the City Council on December 18, 2007. The extended contract period will be from February 1, 2012 to January 31, 2013.

Department:	Environmental Services and Code Enforcement
Award to: Vendor 1	Heist Disposal, Inc. El Paso, TX

Award to: Vendor 2	Freidman Recycling of El Paso El Paso, TX
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Option:	One [of One]
Annual Estimated Award:	\$251,856.84 (V1) \$ 73,392.96 (V2)
Total Estimated Award:	\$325,249.80 (1 year)

Account No.: 34010281 – 502215 – 40403  
 Funding Source: Environmental Services – Outside Contracts-NOC  
**Districts: All**

This is a Best Value, service contract.

[Environmental Services and Code Enforcement, Ellen Smyth, (915) 621-6719]

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 5F.** Request that the Purchasing Manager for Financial Services, Purchasing Division, be authorized to issue a Purchase Order to Bazaar Uniforms & Men's Store and Northern Imports, Inc. dba Work Wear Safety Shoes, under Region 19 Contract No.10-6562 for work uniforms, shoes & related. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Region 19 Cooperative Purchasing Program was approved by Mayor and City Council on March 4, 2008.

Department: Environmental Services and Code Enforcement  
 Award to: Vendor 1 Bazaar Uniforms & Men's Store  
 El Paso, TX  
 Estimated Award: \$86,874 (V1)

Award to: Vendor 2 Northern Imports, Inc. dba Work Wear Safety Shoes  
 El Paso, TX  
 Estimated Award: \$25,620 (V2)

Total Estimated Award: \$112,494  
 Account Nos.: 34010280 – 503120 – 40403  
 34010281 – 503120 – 40403  
 34010286 – 503120 – 40403  
 34010287 – 503120 – 40403  
 34010289 – 503120 – 40403  
 34010291 – 503120 – 40403  
 34010293 – 503120 – 40403  
 34010294 – 503120 – 40403  
 34010296 – 503120 – 40403  
 34010297 – 503120 – 40403  
 34010288 – 503120 – 01101

Funding Source: Environmental Services – Uniforms and Apparel  
 Supplies Government Operations (General Fund) –  
 Uniforms and Apparel Supplies

Reference No.: 2012-113

**Districts: All**

This is a Cooperative, unit price contract.

[Environmental Services and Code Enforcement, Ellen Smyth, (915) 621-6719]

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 5G.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Insight Public Sector, Inc., a contractor under the U.S. Communities Cooperative Purchasing Alliance Contract No. RQ09-99736-42B, for the commissioning of on-site configuration services. The City has

made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the U.S. Communities Cooperative Purchasing Alliance was approved by Mayor and City Council on February 27, 2007.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Fire  
Award to: Insight Public Sector, Inc.  
Tempe, AZ  
Total Estimated Award: \$60,000  
Account No.: 22150024 – 502215 – 07192 – G221006  
Funding Source: FY09 Homeland Security Grant Program –UASI  
(Develop/Enhance Interoperable Communications  
Systems Project)  
Reference No.: 2012-131  
**Districts: All**  
This is a Cooperative, service and unit price contract.  
[Fire, Otto Drozd, (915) 485-5610]  
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 5H.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order(s) to C & M Air Cooled Engine Inc. dba C & M Golf and Grounds Equipment, a vendor under BuyBoard Contract No. 373-11(Grounds Maintenance / Fertilizer / Irrigation Equipment & Supplies), for four Tri-King Reel Type Trimmer Mowers. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the BuyBoard was approved by Mayor and City Council on August 21, 2007.

Department: General Services  
Award to: C & M Air Cooled Engine Inc.  
DBA C & M Golf and Grounds Equipment  
Waco, TX  
Total Estimated Award: \$101,405.92 (for 4 units)  
Account No.: 37150068 – 508054 – 27265 – PFLESVC01  
Funding Source: General Services, Cars, Pickups, Vans  
Reference No.: 2012-110  
**Districts: All**  
This is a Cooperative, unit price contract. [General Services, Stuart Ed, (915) 621-6822]  
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 5I.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Professional Document Systems of Texas (PDS), a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1610, for the renewal of Document Systems Maintenance,

Support and Update Agreement. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resource (DIR) Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Information Technology  
Award to: Professional Document Systems of Texas (PDS)  
El Paso, TX  
Total Estimated Award: \$68,708.40  
Account No.: 39010351 – 502202 – 01101  
Funding Source: General Fund – Data Processing Services  
Reference No.: 2012-126  
**Districts: All**  
This is a Cooperative, service and unit price contract.  
[Information Technology, Miguel Gamino, (915) 541-4288]  
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 5J.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Sigma Solutions, Inc., a contractor under Department of Information Resources (DIR) Contract No. DIR-SDD-1385, for the maintenance, technical support and firmware upgrades for Cisco equipment. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

The participation by the City of El Paso in the Department of Information Resource (DIR) Cooperative Purchasing Program was approved by Mayor and City Council on February 27, 2007.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Information Technology  
Award to: Sigma Solutions, Inc.  
San Antonio, TX  
Total Estimated Award: \$123,768.12  
Account No.: 39010351 – 502202 – 01101  
Funding Source: General Fund – Data Processing Services  
Reference No.: 2012-125  
**Districts: All**  
This is a Cooperative, unit price contract.  
[Information Technology, Miguel Gamino, (915) 541-4288]  
[Financial Services, Bruce D. Collins, (915) 541-4313]

- 5K.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to DLT Solutions, Inc. a contractor under

U.S. General Services Administration (GSA) Contract No. GS-35F-4543G, for AutoDesk Licenses and Technical Support renewal. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

Additionally, it is requested that the City Attorney's Office review and that the City Manager be authorized to execute any related contract documents and agreements necessary to effectuate this award.

Department: Information Technology  
 Award to: DLT Solutions, Inc.  
 Herndon, VA  
 Total Estimated Award: \$54,470.51  
 Account No.: 39010351 – 502202 – 01101  
 Funding Source: General Fund – Data Processing Services  
 Reference No.: 2012-124  
**Districts: All**

This is a Cooperative, unit price contract.

[Information Technology, Miguel Gamino, (915) 541-4288]

[Financial Services, Bruce D. Collins, (915) 541-4313]

- 5L.** Request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Nord Atlantic Trading, Inc., a contractor under the U.S. General Services Administration (GSA) Contract No. GS-07F-0235U for the purchase of 48 Night Visions PVS-14 including accessories, 48 3X Military Magnifying Lens and 27 PASGT Helmet Mounts. The City has made the determination that purchasing from this cooperative offers the most cost-effective pricing.

Department: Police  
 Award to: Nord Atlantic Trading, Inc.  
 Miami, FL  
 Total Estimated Award: \$139,072.44  
 Account No.: 21150010 – 508007 – 05408 – 09-SR-BZ2400006  
 Funding Source: FY09 – Buffer Zone Protection Program Grant (BZPP)  
 Reference No.: 2012-127  
**Districts: All**

This is a Cooperative, unit price contract.

[Police, Zina Silva, (915) 564-7141] [Financial Services, Bruce D. Collins, (915) 541-4313]

**6. BIDS:**

- 6A.** The award of Solicitation No. 2012-062 for the Jorge Montalvo Park Irrigation to Martinez Bros. Contractors, LLC, for a total estimated amount of \$282,467.50.

Department: Engineering and Construction Management and Parks  
 & Recreation Department  
 Award to: Martinez Bros. Contractors, LLC  
 Base Bid: \$219,723.50  
 Minus item 11 \$< 8,556>



Alternate 1                      \$ 71,300

Sum Total Base Bid minus    \$282,467.50

Item 11 plus Alternate 1

Funding Source:                Storm Water Utility, Parkland Dedication and 2012-2013 Certificates of Obligation

**District:**                        **4**

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer or Parks and Recreation Director may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering and Construction Management Department and Park & Recreation Department recommend award as indicated to the lowest responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

- 6B.** The award of Solicitation No. 2012-055 (York HVAC Systems – Proprietary Parts and Service) to Johnson Controls, Inc., for an initial term estimated award of \$330,000.

Department:                      General Services

Award to:                         Johnson Controls, Inc.

El Paso, TX

Items:                                All

Option:                              2 years

Initial Term Estimated Amount: \$330,000 (3 year total)

Total Estimated Award:        \$550,000 (5 year total)

Account No.:                      31010325 – 502226 – 01101 or

31010325 – 503200 – 01101

Funding Source:                 General Services, Building/Facilities, General Fund

**Districts:**                        **All**

This is a low bid, requirements contract.

The Financial Services - Purchasing Division and General Services recommend award as indicated to Johnson Controls, Inc., the sole bidder.

[General Services, Stuart Ed, (915) 621-6822]

[Financial Services, Bruce D. Collins, (915) 541-4313]

## **REGULAR AGENDA - INTRODUCTIONS**

### **7. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:**

**Public comment typically is not taken during the introduction of ordinances.  
Public comments are invited at the date of the scheduled public hearing.**

- 7A.** An Ordinance granting a Special Privilege License to Mary Stillinger and Enriqueta Godinez permitting the maintenance and repair of a 2,199 square foot portion of an existing masonry wall with wrought iron fencing within portions of City right-of-way on Farrell Drive between Cindy Drive and Kathy Drive and Kathy Drive between Stevens Road and Farrell Drive adjacent to the property located South of Americas Avenue and East of Kathy Drive legally described as Lots 15 and 16 Richard Lee Subdivision, City of El Paso, El Paso County, Texas for a term of five years (NESV11-00040) **(District 6)**.  
[Department of Transportation, Mirian Spencer, (915) 541-4050]
- 7B.** An Ordinance to amend Title 12 (Vehicles and Traffic), Section 12.44.280 (Restrictions on parking in residential parking districts) to revise the provisions regarding the issuance of permits, and clarify the effect of holding a permit and the penalties for parking in violation of the section; the penalty being as provided in section 12.84.010 and Chapter 12.85 of the El Paso City Code. **(All Districts)**  
[Department of Transportation, Keith Bennett, (915) 621-6882]

**PUBLIC HEARING WILL BE HELD ON JANUARY 17, 2012, FOR ITEM 7A –7B**

- 7C.** An Ordinance amending Title 20 (Zoning), Chapter 20.18 (Sign Regulations) of the El Paso City Code to revise standards for manufacturer identification signs in C-3 and C-4 Zoning Districts. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**  
[Planning and Economic Development, Kimberly L. Forsyth, (915) 541-4668]
- 7D.** An Ordinance granting Special Permit No. PZST11-00012, to allow for infill development with reduced yard setbacks and reduced lot width on the property described as Lot 23 and the East 16.67 feet of Lot 24, Block 62, East El Paso Addition, City of El Paso, El Paso County, Texas, pursuant to Section 20.10.280 Infill Development of the El Paso City Code. The penalty being as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: 3118 Missouri Avenue. Property Owner: Frank Jr. and Maria G. Dominguez. PZST11-00012 **(District 8)** [Planning and Economic Development, Esther Guerrero, (915) 541-4720]
- 7E.** An Ordinance amending a condition placed on property by Ordinance No. 016588 which changed the zoning of a portion of H.G. Foster Survey 262, City of El Paso, El Paso County, Texas, and which imposed a condition. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: East of the intersection of Franklin Dove Avenue and Franklin Bluff Drive. Property Owner: Hunt Communities, GP, LLC. PZCR11-00004 **(District 1)** [Planning and Economic Development, Esther Guerrero, (915) 541-4720]

**PUBLIC HEARING WILL BE HELD ON JANUARY 31, 2012, FOR ITEMS 7C - 7E**

Public Hearings will be held as part of the regular City Council meeting that begins at approximately 8:30 a.m. All interested persons present shall have an opportunity to be heard at that time. After the public hearings,

Council may also delay taking action on Ordinances; no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Thursday, 7:00 a.m. to 6:00 p.m.

### **REGULAR AGENDA – PUBLIC HEARINGS**

#### **8. INTRODUCTION AND PUBLIC HEARING – EL PASO WATER UTILITIES:**

Discussion and action on an Ordinance authorizing the issuance of “City of El Paso, Texas, Water and Sewer Revenue refunding Bonds, Series 2012;” and resolving matters which are necessary to effectuate said issuance, including the delegation of matters relating to the sale and issuance of the Bonds to an authorized City officer or employee within certain specified parameters. **(All Districts)** [El Paso Water Utilities, Marcela Navarrete (915) 594-5614]

### **REGULAR AGENDA – OTHER BIDS, CONTRACTS, PROCUREMENTS**

#### **9. GENERAL SERVICES:**

Discussion and action that the City Manager be authorized to sign Amendment 4 to the Professional Services Contract, dated May 17, 2010, between the City of El Paso and Johnson Controls, Inc., a Wisconsin Corporation, to perform utility cost reduction measures, specifically a solar photovoltaic (PV) system at the City's Lafayette Municipal Service Center, to implement Phase IV of the City-wide Energy Operational Savings, for an amount of \$1,080,000, and that the City Manager be authorized to accept a State Energy Conservation Office (SECO) stimulus program grant in the amount of \$900,000 and allocate \$180,000 for the local cash match out of existing capital projects funds. This authorization is subject to final approval by the City Attorney's office of all necessary documents to effectuate the transaction. **(District 7)**  
[General Services, Rene Barraza, (915) 621-6831]

#### **10. ENGINEERING AND CONSTRUCTION MANAGEMENT:**

Discussion and action on the award of Solicitation No. 2012-041 for the MICRO-SURFACING 2012 to Intermountain Slurry Seal, Inc. for a total estimated amount of \$1,662,600.

Department:	Engineering and Construction Management and Department of Transportation
Award to:	Intermountain Slurry Seal, Inc.
Base Bid:	\$1,662,600
Total Estimated Completion:	\$1,662,600
Funding Source:	2012 and 2013 Certificates of Obligation
<b>Districts:</b>	<b>All</b>

It is requested that the City Manager of the City of El Paso be authorized to sign any contracts or other documents required to effectuate this award.

Work under this unit price contract is only an estimated value and will be ordered, performed, invoiced, and paid by measured quantity. The actual cost of this contract may be higher or lower than the total estimated value and will be the sum total of unit prices at the end of the contract term.

As a part of this award, upon the review of the City Attorney, the City Engineer or Department of Transportation Director may without further authorization from City Council approve contract changes which are necessary for proper execution of the work and carrying out the intent of the project, which are in accordance with applicable law, do not make changes to the prices and are within the appropriate budget.

This is a low bid, unit-price contract. The Engineering and Construction Management Department and the Department of Transportation recommend award as indicated to the lowest responsible bidder.

[Engineering and Construction Management, R. Alan Shubert, (915) 541-4423]

[Department of Transportation, Daryl Cole, (915) 541-4050]

#### 11. FIRE:

Discussion and action on the award of Solicitation No. 2012-068 (Self-Contained Breathing Apparatus [SCBA]) to Fire Service Equipment, Inc. for a total estimated award of \$1,256,115.

Department:	Fire Department
Award to:	Fire Service Equipment, Inc. El Paso, TX
Items:	All
Option:	None
Total Estimated Award:	\$1,256,115.
Account No.:	22150024 – 503303 – 07192 – EMW2010FO-05557
Funding Source:	FY10 Assistance to Firefighters Grant Program
<b>Districts:</b>	<b>All</b>

This is a low bid, unit price contract.

The cost under this requirements contract is only an estimated minimum value. The actual cost of this contract may be higher or lower than the total estimated minimum value and will be the sum total at the end of the contract term, so long as increased funds are appropriated in the budget.

The Financial Services - Purchasing Division and Fire Department recommend award as indicated to Fire Service Equipment, Inc., the lowest responsive, responsible bidder.

[Fire, Terry K. Kebschull, (915) 771-1073] [Financial Services, Bruce D. Collins, (915) 541-4313]

#### 12. INFORMATION TECHNOLOGY:

Discussion and action on the request that the Purchasing Manager for Financial Services, Purchasing Division be authorized to issue a Purchase Order to Innovative PBX Services, Inc. in conjunction with the ongoing Interlocal Agreement between the City of El Paso and the County of El Paso to purchase cabling products and services off of the County "Cabling Services for the County of El Paso" Bid No.11-019, awarded by the County of El Paso on July 25, 2011.

Department:	Information Technology
Award to:	Innovative PBX Services, Inc. El Paso, TX
Annual Estimated Amount:	\$500,000

Total Estimated Amount: \$500,000 (1 year)  
 Account No.: 14400500 – 508010 - PCP12IT02; and  
 Various Departmental Funds  
 Funding Source: 2012-2013 Capital Improvement Plan bonds  
 General Fund  
 Reference No.: 2012-123  
**Districts:** **All**  
 [Information Technology, Miguel Gamino, (915) 541-4288]  
 [Financial Services, Bruce D. Collins, (915) 541-4313]

### **REGULAR AGENDA – OTHER BUSINESS**

#### **13. MAYOR AND COUNCIL:**

##### **13A. LEGISLATIVE REVIEW COMMITTEE REPORT:**

1. For Notation: Formal Report of the Health, Safety and Community Services Legislative Review Committee meeting held on December 01, 2011, as submitted by Eddie Holguin, Chair; and,
2. Discussion and action pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
  - A. Discussion and action on an ordinance amending Title 18 (Building and Construction), Chapter 18.08 (Building Code), Section 18.08.070 (Fences), of the El Paso City code, to amend the requirements and standards for electrified fence permits, the penalty being as provided in Section 18.02.107 (Violations and Penalties) of the El Paso City code. [Engineering and Construction Management, Victor Morrison-Vega, (915) 541-4557]

##### **13B. LEGISLATIVE REVIEW COMMITTEE REPORT:**

1. For notation: Formal report of the Environmental Services Legislative Review Committee meeting held on November 28, 2011, as submitted by Representative Susie Byrd; and
2. Discussion and action pertaining specifically to any of the agenda items, as posted on the agenda of said Legislative Review Committee meeting, as follows:
  - a) Discussion and action on citation power for the Code Compliance Inspectors. [Environmental Services, Ellen A Smyth, (915) 621-6700]
  - b) Discussion and update on a proposal from GGI Energy for El Paso Waste to Energy Plant. [Environmental Services, Ellen Smyth, (915-621-6719]
  - c) Discussion and action on an Illegally Dumped Tire Coupon Program. [Environmental Services, Ellen Smyth, (915) 621-6719]

- d) Discussion and action to combine the Animal Welfare Advisory Committee and the Animal Shelter Advisory Committee. [Environmental Services, Ellen Smyth, (915) 621-6719].
- e) Discussion and update on the Animal Services' Dangerous Animal Response Team [Environmental Services, Kurt Fenstermacher and Dr. Bernie Page (915) 621-6700]

**14. COMMUNITY AND HUMAN DEVELOPMENT:**

Discussion and action on a Resolution to approve an Empowerment Zone Revolving Loan Fund Small Business Loan application and loan funding to El Paso Powder Coating & Hydrographics LLC, in the amount of \$75,000, as recommended by the Director of Community and Human Development; and, that the City Manager be authorized to execute any and all loan related documents by and among the City of El Paso, El Paso Powder Coating & Hydrographics LLC, and loan guarantor(s), required to meet loan program requirements, loan disbursement, and loan securitization upon approval by the City Attorney's Office. **(District 8)** [Community and Human Development, William Lilly, (915) 541-4643]

**15. POLICE:**

- 15A.** Discussion and action to approve budget transfer to increase the appropriations for the State Confiscated Award by \$1,153,733 for a total FY 2012 allocation of \$1,421,201 to fund the Police Department's FY 2012 Confiscated Fund budget. **(All Districts)** [Police, Robert Feidner, (915) 564-7166]
- 15B.** Discussion and action to approve transfer to increase the appropriations for the Federal Confiscated Award by \$306,308 for a total FY 2012 allocation of \$371,808 to fund the Police Department's FY 2012 Confiscated Fund budget. **(All Districts)** [Police, Robert Feidner, (915) 564-7166]

**16. CITY MANAGER:**

City Manager's report of current events and issues:

Discussion and action on a presentation on El Paso Electric and El Paso Water Utilities Coordinated Plans for power and water supply to critical loads during severe weather events; and Review by Office of Emergency Management of Status of Utility Coordination with EOC in event of such emergency weather event. **(All Districts)** [City Manager, Joyce Wilson, (915) 541-4071]

**EXECUTIVE SESSION**

The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act and the Rules of City Council.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES
Section 551.087	DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- EX1.** Property located at 218 N. Campbell Street (551.072) [City Attorney's Office, Bertha Ontiveros, (915) 541-4550]
- EX2.** Property located at 700 W. San Francisco Street (551.072) [City Attorney's Office, Bertha Ontiveros, (915) 541-4550]
- EX3.** City of El Paso, Texas vs. Magnolia 2720 LLC, Cause No. 2011-490, County Court No. 3, El Paso County, Texas (551.071) [City Attorney's Office, Marie Taylor, (915) 541-4550]
- EX4.** Lucia Guerrero, et. al. vs. City of El Paso, et. al.; Cause No. EP-11-CV-00101-KC (551.071) [City Attorney's Office, Karla M. Nieman (915) 541-4550]
- EX5.** Legal advice regarding special election for recall. (551.071) [City Attorney's Office, Elaine Hengen, (915) 541-4550]

**NOTICE TO THE PUBLIC:**

Sign Language interpreters are provided for regular City Council meetings. Copies of this Agenda will be provided in Braille, large print, or audiotape upon requests made a minimum of 48 hours prior to the meeting.

Hearing Assistance Devices are available upon request.

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